

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

To:

see form PCT/ISA/220

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2007/085117

International filing date (day/month/year)  
19.11.2007

Priority date (day/month/year)  
30.11.2006

International Patent Classification (IPC) or both national classification and IPC  
INV. G07F17/32

Applicant  
IGT

### 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of  
this opinion

see form  
PCT/ISA/210

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

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**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

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The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

- ☐ the entire international application
- ☒ claims Nos. 1-27

because:

- ☒ the said international application, or the said claims Nos. 1-27 relate to the following subject matter which does not require an international search (*specify*):

see separate sheet

- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):
- ☐ no international search report has been established for the whole application or for said claims Nos.
- ☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:
  - ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
  - ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
  - ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b).
- ☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.
- ☐ See Supplemental Box for further details

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	<u>29-35</u>
	No: Claims	<u>28</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>28-35</u>
Industrial applicability (IA)	Yes: Claims	<u>28-35</u>
	No: Claims	

**2. Citations and explanations**

see separate sheet

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**Re Item III.**

- 1). Claims 1-27 are excluded from patentability.

Claims 1-27 comprise merely non-technical features, because the features of said claims refer to either rules of playing games, business method (marketing) and computer program as such. As consequence none of the features of claims 1-27 confer technical character to the claimed matter. As consequence claims 1-27 are excluded from patentability.

**Re Item V.**

- 2). Reference is made to the following document:

D1 : WO-A-2006/105182

- 3). Claim 28 does not fulfil the requirements of Art. 33(2) PCT.

D1 discloses a central processing system (figure 5) for use with a gaming establishment, the central processing system comprising:  
a processor (the device 120 comprises a processor otherwise it would not operate);  
a memory (the device 120 comprises a memory otherwise it would not operate);  
configured to store a) data related to the behaviour of multiple people in a gaming establishment ([87], [121]), b) data related to entertainment resources for the gaming establishment ([189] "based upon game play activity on the gaming machine. For instance, certain promotions may be offered to a player based on how long they have been playing on a particular machine, how much they have wagered and how much they have won", [204]), and c) a model configured to select a tailored offering for a person, when the person is at least partially identified in the gaming establishment, using the model with the data related to the behaviour of multiple people and with the data for entertainment resources in the gaming establishment ([189], [191], [227]);  
and

a communications interface configured to communicate with multiple entertainment resources in the gaming establishment and to send the tailored offering to an entertainment resource near the person and in the gaming establishment (see figures 5, 7 how the devices are interconnected, [189], [191], [227]).

Claim 28 is therefore not novel (Art. 33(2) PCT).

- 4). None of the supplementary features of claims 29-35 seem to serve as basis for an allowable independent claim because the supplementary features refer to non-technical subject-matter solving no technical problem. Claims 29-35 do therefore not fulfil the requirements of Art. 33(3) PCT.

**Re Item VIII.**

- 5). The applicant is reminded that in order to fulfil the requirements of Art. 6 PCT in the sense of conciseness, the set of claims should contain not more than a single independent claim in every category.
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